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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

TWO CONDOMINIUMS LOCATED AT
465 OCEAN DRIVE, UNITS 315 AND 316,
MIAMI BEACH, FLORIDA 33139,

Defendant

ZACHARY APTE,
JESSICA RICHMAN, and
465 OCEAN LAND TRUST,
Claimants.

Case No.: 21-CV-04060-CRB

JOINT STATUS REPORT

Plaintiff United States of America (the “United States”) and claimants Dr. Zachary Apte, Dr. Jessica Richman, and the 465 Ocean Land Trust (collectively, “Claimants” and with the United States, the “Parties”), through their counsel of record, file this joint status report in response to the Court’s August 29, 2022, notice. Dkt. 58.

1 1. On May 27, 2021, the United States filed a verified complaint for civil forfeiture *in rem*
2 against the Defendant Properties. Dkt. 1. The Court granted Claimants' motions to dismiss that complaint
3 on August 26, 2021. Dkt. 34. The United States filed an amended verified complaint for civil forfeiture
4 *in rem* against the Defendant Properties on September 24, 2021. Dkt. 35. The United States provided
5 notice to the Claimants, who are the only identifiable claimants to the Defendant Properties.

6 2. Claimants filed timely statements of claim to the Defendant Properties, stating that
7 Dr. Apte and Dr. Richman are each a fifty percent beneficiary to a Florida land trust named the 465 Ocean
8 Land Trust, dated February 4, 2020, that holds the Defendant Properties in trust. Dkt. 15, 17-18, 45-47.

9 3. On October 18, 2021, the United States filed a motion to strike the Claimants'
10 claims. Dkt. 40. On November 15, 2021, Claimants filed a motion to dismiss government's first amended
11 verified complaint for civil forfeiture and a memorandum in opposition to the United States' motion to
12 strike their claims. Dkt. 53. Claimants deny the United States' allegations that they engaged in unlawful
13 conduct and deny that the Defendant Properties are subject to forfeiture.

14 4. On December 8, 2021, the Court granted the parties' Joint Stipulation a Regarding Stay of
15 the Briefing Schedule Pending Potential Settlement Discussions. Dkt. 57.

16 5. Since the entry of the stay, the parties have been regularly engaged in productive settlement
17 discussions. The parties remain actively engaged in those discussions and anticipate that they will resolve
18 shortly, within the next approximately 60 days. While the parties have made significant progress in their
19 talks, the underlying transaction is complex and involves the sale of real property. Trial obligations of
20 counsel for the United States and certain Claimants have additionally affected the pace of recent
21 discussions.

22 6. As a result, the parties request that the Court continue the stay in this case and set an
23 additional joint status report for no later than November 11, 2022.

1 Dated: September 9, 2022

By: /s/ W. Douglas Sprague
W. Douglas Sprague
David Grady Jung
Raina Bhatt
Attorneys for Claimant Zachary Apte

5 Dated: September 9, 2022

By: /s/ Joel Hammerman
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Joshua Mahoney
Tarifa B. Laddon
Attorney for Claimant Jessica Richman

11 Dated: September 9, 2022

By: /s/ Anthony J. Brass
Anthony J. Brass
Attorney for Claimant Gabriel Ceriotti

14 Dated: September 9, 2022

By: /s/ Chris Kaltsas
Chris Kaltsas
Attorney for United States of America

FILER'S ATTESTATION

Pursuant to Civil L.R. 5-1(h)(3), Josh Mahoney hereby attests that concurrence in the filing of this document has been obtained from each of the above signatories.

Dated: September 9, 2022

By: /s/ Josh Mahoney